

1 **In the Claims**

2 Claims 9, 26, 31, 34 and 37 have been amended.

3 Claim 37 has been canceled.

4 Claims 9-15, 26, 27, 31, 34, 37 and 49-54 remain in the application for
5 consideration and are listed as follows:

6
7 1.-8. (Canceled).

8
9 9. (Currently Amended) A method for facilitating speedy
10 communication of packets between entities on a network through a
11 communication device, the method comprising:

12 sending a set of packets from a sending entity to a receiving entity, wherein
13 a transmission delay between packets in the set is intolerable;

14 immediately thereafter, sending at least one “push” packet to avert a
15 transmission delay between packets in the set, wherein the “push” packet is
16 specifically configured to forces the transmission of the set of packets by the
17 communication device to avoid the transmission delay caused by packet buffering
18 by the communication device on the network.

19
20 10. (Original) A method as recited in claim 9, wherein the set of packets
21 includes two packets sent back-to-back.

1 11. (Original) A method as recited in claim 9, wherein the set of packets
2 are bandwidth-measurement packets for measuring bandwidth between the
3 sending entity and the receiving entity.

4
5 12. (Original) A method as recited in claim 9, wherein the
6 communication device is a proxy server.

7
8 13. (Original) A method as recited in claim 9, wherein the network is
9 TCP.

10
11 14. (Original) A program module having computer-executable
12 instructions that, when executed by a computer, performs the method as recited in
13 claim 9 at an application layer in accordance with an OSI model.

14
15 15. (Original) A computer-readable medium having computer-
16 executable instructions that, when executed by a computer, performs the method
17 as recited in claim 9.

18
19 16. – 25. (Canceled).

20
21 26. (Currently Amended) A method for facilitating bandwidth
22 measurement between two entities on a network through a communication device,
23 the method comprising:

1 sending a pair of bandwidth-measurement packets from a sending entity to
2 a receiving entity, wherein a transmission delay between packets in the pair is
3 intolerable;

4 immediately thereafter, sending at least one "push" packet to avert a
5 transmission delay between packets in the pair, wherein the "push" packet is
6 specifically configured to forces the transmission of the set of packets by the
7 communication device to avoid the transmission delay caused by packet buffering
8 by the communication device on the network.

9
10 27. (Original) A method as recited in claim 26 further comprising
11 receiving a bandwidth calculation based upon measurements related to the pair of
12 packets.

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14 28. (Canceled).

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16 29. (Canceled).

17
18 30. (Canceled).

1 31. (Currently Amended) A computer-readable medium having
2 computer-executable instructions that, when executed by a computer, perform a
3 method to facilitate speedy communication of packets between entities on a
4 network through a communication device, the method comprising:

5 sending a set of packets from a sending entity to a receiving entity, wherein
6 a transmission delay between packets in the set is intolerable;

7 immediately thereafter, sending at least one "push" packet to avert a
8 transmission delay between packets in the set, wherein the "push" packet is
9 specifically configured to forces the transmission of the set of packets by the
10 communication device to avoid the transmission delay caused by packet buffering
11 by the communication device on the network.

12
13 32. (Canceled).

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15 33. (Canceled).

16
17 34. (Currently Amended) An apparatus comprising:

18 a processor;

19 a transmission-delay avoider executable on the processor to:

20 send a set of packets from a sending entity to a receiving entity
21 through a communication device, wherein a transmission delay between
22 packets in the set is intolerable;

23 immediately thereafter, send at least one "push" packet to avert a
24 transmission delay between packets in the set, wherein the "push" packet is
25 specifically configured to forces the transmission of the set of packets by

1 the communication device to avoid the transmission delay caused by packet
2 buffering by the communication device on the network.

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4 35. (Canceled).

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6 36. (Canceled).

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8 37. (Canceled).

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10 38.-48. (Canceled).

11
12 49. (Previously Presented) A method as recited in claim 9, wherein the
13 "push" packet is sent from the sending entity.

14
15 50. (Previously Presented) A method as recited in claim 9, wherein the
16 communication comprises a device other than the sending entity or the receiving
17 entity.

18
19 51. (Previously Presented) A method as recited in claim 9, wherein the
20 packet buffering causing the transmission delay is characterized by a buffering
21 action where one or more of the set of packets are buffered into a packet buffer,
22 wherein the transmission delay is a result of the packet buffering.

1 52. (Previously Presented) A method as recited in claim 26, wherein the
2 "push" packet is sent from the sending entity.

3
4 53. (Previously Presented) A method as recited in claim 26, wherein the
5 communication device comprises a device other than the sending entity or the
6 receiving entity.

7
8 54. (Previously Presented) A method as recited in claim 26, wherein the
9 packet buffering causing the transmission delay is characterized by a buffering
10 action where one or more of the set of packets are buffered into a packet buffer,
11 wherein the transmission delay is a result of the packet buffering.